

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HASSAN KHAN,

Petitioner,

-v-

UNITED STATES OF AMERICA,

Respondent.

20-cv-0945

ORDER

JED S. RAKOFF, U.S.D.J.:

On June 27, 2024, the Court adopted in its entirety Magistrate Judge Jennifer E. Willis's excellent Report and Recommendation in the above-captioned matter and denied the petition filed by Hassan Khan pursuant to 28 U.S.C. § 2255. See ECF No. 75. On July 22, 2024, Khan's counsel initiated a telephonic conference with the Court and Government counsel, in order to request that the Court grant a certificate of appealability. After full consideration, the Court concludes that Khan has not met the high standard that governs when a court should issue a certificate of appealability as Khan's § 2255 petition entirely fails to make a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2) ("A certificate of appealability may issue ... only if the applicant has made a substantial showing of the denial of a constitutional right."); Slack v. McDaniel, 529 U.S. 473, 484 (2000) ("[A] substantial showing of the denial of a constitutional right ... includes showing that reasonable jurists could debate whether ... the petition should have been resolved in a different manner.").

Accordingly, Khan's request that the Court issue a certificate of appealability is hereby denied.

SO ORDERED.

New York, NY  
August 5, 2024

  
JED S. RAKOFF U.S.D.J.